The Board of Clark County Commissioners met in regular session pursuant to adjournment in accordance with Section 121.22 O.R.C. (Sunshine Law) in the Commission Chambers, 3130 East Main Street, Springfield, Ohio.

The following members and guests were present: Commissioner Melanie F. Wilt; Commissioner Lowell R. McGlothin; Commissioner Sasha L. Rittenhouse; Jennifer Hutchinson, County Administrator; Michael Cooper, Public Information Officer; Angela Wheeler, Administrative Assistant; Ron Coss & Tom O'Neal, Veterans Service Commission; Sydney Dawes, Springfield News-Sun; Marti Aukerman; Sheila Boggs; Amanda Kaufman; Daniel Conley; Kloe Conley; Tracey Conley; Veronica Rathbun; Ashly Doyle; Larry Doyl; Christina Lovelock

Commissioner Wilt called the meeting to order and introductions were made.

Agenda Review:

Ms. Hutchinson reviewed the agenda.

Resolution 2022-0735 authorized contract amendment three with Strand Associates on behalf of the Engineer's office. This is for the Enon-Xenia Road Project.

Resolution 2022-0736 authorized contract amendment one with Adriel School on behalf of the Department of Job and Family Services to extend the contract for one year to provide parent-aid services to clients.

Resolution 2022-0737 authorized contract with IMS Technology and Security on behalf of the Department of Job and Family Services to provide maintenance and support for access control system.

Resolution 2022-0738 authorized contract with Hauck Bros. Heating and Cooling on behalf of the Utilities Department for as-needed heating and cooling maintenance.

Resolution 2022-0739 authorized grant submission on behalf of the Reentry Director. The grant application is for \$1000 to go toward filing fees.

Resolution 2022-0740 was to affix signatures to record plat for Northridge Subdivision No. 30, Part C on behalf of the Engineer's Department.

Resolution 2022-0741 was to appoint Beau Thompson as the Representative to the Region 14 Board of Directors. Commissioner Wilt said Beau has been involved in the process since the beginning. He is a natural fit.

Resolution 2022-0742 approved payment to Clark County Sheriff's Office and Clark County Prosecutor's Office for proceeds from forfeited vehicles.

Resolution 2022-0743 approved payment to Thomas Fogarty as moral obligation for vehicle damage caused by chip seal roadwork. Commission McGlothin asked what the process is for filing a claim for this. Ms. Hutchinson said to contact the Engineer's office.

Resolution 2022-0744 approved payment to Kyle Smith as moral obligation for vehicle damage caused by chip seal roadwork.

Resolution 2022-0745 authorized purchase of Tiger Flail Mower for the Engineer's Office. It will be purchased through state contract.

Resolution 2022-0746 authorized disposal of 2014 Ford Utility Interceptor to be donated to Rowan County Sheriff's Department in Morehead, Kentucky.

Resolution 2022-0747 acknowledged annual report from Clark County Prosecutor's Office. The report was emailed to the Commissioners.

Resolution 2022-0748 authorized intra-fund transfer from the Treasurer's Office. The Treasurer is moving funds from operating expenses to personnel and fringes.

Resolution 2022-0749 approved Supplemental Appropriations. One appropriation is for the Recorder from the Technology Fund. The other appropriation is for the IV-E Contract, which is a reduction. Commissioner Wilt asked why there was a reduction. Ms. Hutchinson said it is possible they did not use the funds or because the department was too far into the year and did not use the funds. It could also be the department did not get the contract or the grant.

Resolution 2022-0750 approved the travel expenses for the week.

Resolution 2022-0751 set date and time for the Public Hearing for Rezoning Case Z-2022-10. The hearing is set for Wednesday, October 19, 2022.

Resolution 2022-0752 – authorized contract with Spectrum Reach on behalf of the Veterans Service Commission. Commissioner McGlothin asked how long the amount of the contract would cover for advertisement. Mr. O'Neal was not sure but thinks it is for a quarter of a year. Commissioner Wilt added it is probably budgeted through the end of the year.

Commissioner Updates:

Rittenhouse said she went to Oesterlen and took a tour. They have a new CEO, Mr. Ware. He is a very energetic and excited to revive Oesterlen. Commissioner Rittenhouse plans to attend their December board meeting.

Commissioner Rittenhouse also attended the Harvesting Hope Family Initiative. The Harvesting Hope dinner was nice. Commissioner Rittenhouse said they do many great things for the community and for younger kids. They educate and offer mental health services.

Commissioner Rittenhouse said she attended Mental Health Services Ribbon Cutting for the youth mental health facility and toured their facility. As a community, all of these things together keep chipping away at the youth and mental health services.

Commissioner Rittenhouse said she attended the Heritage of Flight Festival in New Carlisle. It was well attended. Commissioner Rittenhouse said she will also be at the Enon Apple Butter Festival on Sunday.

Commissioner McGlothin said he attended New Carlisle Rotary where Captain Elliott spoke. He said she was well spoken.

Commissioner Wilt said the County needs to respond to Ms. Brown regarding the Tilly Lane issue. Commissioner Wilt wanted to verify Mr. Thompson is looking into that situation.

Commissioner Wilt asked Commissioner Rittenhouse if she could attend the Dayton Walk of Fame. Commissioner Rittenhouse said she can attend next Wednesday. Commissioner Wilt said A.B. Graham would be inducted into the Walk of Fame.

Commissioner Wilt said there is a CCLEAT meeting but she will not be able to attend.

Commissioner Wilt said the County has gotten inquiries from residents regarding broadband availability. She would like to centralize the inquiries so there is one person handling the calls. Mr. Cooper said he would handle those inquiries. Mr. Cooper will contact the representative at Spectrum.

Commissioner Wilt asked Mr. Cooper where the County is on the luminaries. Mr. Cooper said he is in the process and he will talk to her about it.

County Administrator Updates:

Ms. Hutchinson said Spectrum finally submitted a draft of the contract. There was something on the contract the County could not agree to regarding indemnification. The county has sent it back and as soon as Spectrum submits the updated contract, the County can proceed. This is for the second phase of broadband.

Ms. Hutchinson said that last week our Solid Waste hosted the Ohio Associate of Litter Prevention and Recycling Conference. It was the first time the County has hosted an event like this. Ms. Hutchinson said it was good for Springfield and Clark County to get on the State's radar.

Ms. Hutchinson asked if the Commissioners would be interested, in the next couple of weeks, to have Ms. Wagner come in and update on reentry. Ms. Hutchinson said within the next month Ms. Wagner expects to see clients. All three Commissioners agreed she should come to a Commission Meeting. Mrs. Hutchinson said Ms. Wagner is also speaking at the Springfield Rotary in November.

Ms. Hutchinson said the County is about ready to start on the budget. Next month will begin the budget meetings with all the departments.

The Board reviewed the calendar and events.

Commissioner Wilt told Mrs. Conley she is sorry for her loss and offered her a few minutes to speak.

Audience Comments:

Tracey Conley said five months ago, her daughter and her daughter's friend were walking a dog on Crabill Road and were hit by a car. Her daughter did not make it. Her daughter's friend, Tori, is recovering. They have been waiting for months for a meeting with the Prosecutor. Mrs. Conley said, according to the Ohio Victim Rights booklet, the victim's family has a right to confer with the prosecutor regarding the case. Prosecutor Dan Driscoll has refused to speak to them. On Tuesday, October 4, they went to the Prosecutor's office but the Mr. Driscoll refused to speak to them stating their attorney was not present. Mrs. Conley said they only have an attorney for the civil case, not the criminal case. She said only misdemeanor charges were filed against the driver and those charges only apply to her daughter, not to the other victim hit by the car. Mrs. Conley said the driver tested positive for marijuana and several witnesses heard the driver say he was on the phone at the time of the accident. She said they feel a meeting with the Prosecutor is not asking too much. Mr. Driscoll will not call them back or see them in person. Mrs. Conley said Mr. Driscoll has no compassion. Mrs. Conley asked the Commissioners who holds the County Prosecutor accountable for his actions.

Commissioner Wilt said the voters of Clark County hold him accountable. Commissioner Wilt said as Commissioners, it is their duty to handle the County Budget. Commissioner Wilt said she is very sorry to hear this was their experience with the Prosecutor's Office. Commissioner Wilt said she is happy to make a phone call to the Prosecutor for the family. Commissioner Wilt also said Sydney Dawes is here from the Springfield News-Sun and has access to the public record as well.

Commissioner McGlothin said he is very sorry for what they are going through and, unfortunately, the Commissioners have no control over the Prosecutor's Office. He feels, if the Commission President will speak to Mr. Driscoll, it could possibly help.

Commissioner Rittenhouse said she is very sorry for their loss. Commissioner Wilt asked Mrs. Conley if she has reached out to the Attorney General. Mrs. Conley said the Attorney General's office said all the family can do is file a complaint with the Bar Association. Commissioner Wilt will follow up with Ms. Conley after she talks to Mr. Driscoll. She will also help in any way she can with the Attorney General's office.

Commissioner Wilt recessed until 10:00 am

Call to Order, Commission President Wilt

Resolution 2022-0734

Following the pledge, Commissioner Rittenhouse moved to approve the minutes of the last meeting and dispense with reading of the same. Commissioner McGlothin seconded the motion. The roll being called for passage resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Commissioner Rittenhouse moved to approve the agenda its entirety, including the add on. Commissioner McGlothin seconded the motion. The roll being called for passage resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0735 ENGC file

Authorize Contract Amendment No. 3 with Strand Associates, Inc.

Commissioner Rittenhouse moved, per the request of the County Engineer, to authorize contract Amendment No. 3 with:

Organization Name: Strand Associates, Inc.

Organization Address: 615 Elsinore Place, Suite 320, Cincinnati, Ohio 45202

 Original Contract:
 \$316,978.00

 Previous Amendment:
 \$238,737.00

 Current Amendment:
 \$10,000.00

 New Contract Amount:
 \$565,715.00

Funding Source(s): Federal Grant – 80% up to \$433,000 and Local Funds (MV>)

Amendment Purpose: On-going services during construction

Purpose of Contract: Engineering Design - CLA CR 315-1.28 Enon Xenia Road

Improvements – PID 109441

Further move to authorize the County Administrator to execute the contract amendment and related documents, including the purchase order.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0736 JFSC file

Authorize Contract Amendment #1 with Adriel School, Inc.

Commissioner Rittenhouse moved, per the request of the Department of Job and Family Services Director, to authorize contract amendment #1 with:

Organization Name: Adriel School, Inc.

Organization Address: P.O. Box 188, West Liberty, Ohio 43357

Amendment Amount: \$0.00

Funding Source(s): TANF 93.558, ESSA 93.556, Title XX, Children's Services Levy

Purpose of Amendment: To extend the contract for one year

Purpose of Contract: To provide Parent Aide services to Department's Family and Children Services

cases

Amendment Effective Date: January 1, 2023 **Original Effective Date:** January 1, 2021

Further move to authorize the County Administrator to execute the contract amendment and related documents, including the purchase order.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0737 JFSC file

Authorize Contract with IMS Technology & Security

Commissioner Rittenhouse moved, per the request of Department of Job and Family Services Director, to authorize a contract with:

Organization Name: IMS Technology & Security

Organization Address: 68 East Main Street, Xenia, Ohio 45385

In the amount of: \$12.600.00

Funding Source(s): Shared Administrative Dollars

Purpose: To provide maintenance and support for Department's Access Control System

Effective Dates: October 5, 2022 through October 4, 2024

Further move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0738 UTLC file

Authorize Contract with

Hauck Bros. Inc. Heating and Cooling

Commissioner Rittenhouse moved, per the request of Utilities Department Director, to authorize a contract with:

Organization Name: Hauck Bros. Inc. Heating and Cooling

Organization Address: 1974 Commerce Circle, Springfield, Ohio 45504

In the amount of: Not to exceed \$49,000.00 Funding Source(s): General Water and Sewer Funds

Purpose: As-needed heating and cooling maintenance/service work

Effective Dates: October 5, 2022

Further move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0739 RENG file

Authorize Grant Submission Community Health Foundation

Commissioner Rittenhouse moved, per the request of the Reentry Director, to authorize grant submission of the following:

Grant: Community Health Foundation Mini Grant

Grantor: Community Health Foundation

Funding Amount: \$1,000.00

Purpose: To support the cost of filing fees at the upcoming record sealing and CQE

(Certificate of Qualification for Employment) Clinic

Grant Effective Dates: Mini grants are awarded on a rolling basis

Further move to authorize the County Administrator to execute the grant submission and related documents.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0740 ENGO file

Affix Signatures to Record Plat for Northridge Subdivision No. 30, Part C

Commissioner __Rittenhouse moved, to affix signatures to the record plat for Northridge Subdivision No. 30, Part C. The developer has constructed the public improvements in advance of recording the plat. No assurance agreement or contract is required.

Further recommend the County accept the completed water, sanitary sewer, storm sewer and roadway. The water and sewer will be maintained by the Clark County Utilities Department and the roadway, storm sewer by Moorefield Township.

Burton Drive (Extension) 50' Right of Way 30' Curbed Street 474.76 feet length

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0741 COMO file

Resolution Appointing Representative to the OneOhio Region 14 Board of Directors

Commissioner Rittenhouse moved to adopt the following resolution:

WHEREAS, Clark County, Ohio, is a Local Government that has adopted and approves The OneOhio Memorandum of Understanding ("The Memorandum"), which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio's communities to help abate the opioid crisis, including allocations to Local Governments and Regions through a statewide Foundation; and,

WHEREAS, this jurisdiction is a participant in Region 14 as established by The Memorandum; and,

WHEREAS, pursuant to The Memorandum each Region shall create their own governance structure so it ensures all Local Governments have input and equitable representation regarding regional decisions including representation on the statewide Foundation Board and selection of projects to be funded from the region's regional Share; and,

WHEREAS, Regions have the responsibility to make submissions regarding the allocation of funds to projects that will equitably serve the needs of the entire Region; and,

WHEREAS, the bylaws created by Region 14 and previously accepted by this Legislative Body provide that the Board of County Commissioners of each County in the Region shall designate a representative to the Board of Directors.

NOW THEREFORE BE IT RESOLVED, by this legislative body that:

<u>Section 1</u>. The Clark County Board of Commissioners hereby appoints Clark County Assistant Prosecuting Attorney, Beau P. Thompson, as its representative to the Region 14 Board of Directors.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0742 COMP file

Approve Payment to

Clark County Sheriff's Office & Clark County Prosecutor's Office

Commissioner Rittenhouse moved, per request of the County Administrator, to approve the following payment:

Payment to: Clark County Sheriff's Office

Address: 120 North Fountain Ave, Springfield, Ohio 45502 **Description:** Proceeds from sale of forfeited vehicle and trailer

Case #19-CR-0390

Amount: \$10,238.26

Payment to: Clark County Prosecutor's Office

Address: 50 East Columbia Street, Suite 449, Springfield, Ohio 45502

Description: Proceeds from sale of forfeited vehicle and trailer

Case #19-CR-0390

Amount: \$10,238.26

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0743 ENGP file

Approve Payment to

Thomas Fogarty as Moral Obligation

Commissioner Rittenhouse moved, upon the recommendation of the County Administrator, per the request of the County Engineer, to authorize the following:

Payment to: Thomas Fogarty

Address: 4426 Pine Tree Place, Springfield, Ohio 45504

Services: Moral obligation payment due to vehicle damage from roadwork

Project: Chip Seal Funding Source: MV> Amount: \$163.00

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0744 ENGP file

Approve Payment to Kyle Smith as Moral Obligation Commissioner Rittenhouse moved, upon the recommendation of the County Administrator, per the request of the County Engineer, to authorize the following:

Payment to: Kyle Smith

Address: 3875 Pinewood Avenue, Springfield, Ohio 45502

Services: Moral obligation payment due to vehicle damage from roadwork

Project: Chip Seal Funding Source: MV> Amount: \$320.00

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0745 INVP file

Authorize Purchase of Equipment For the Clark County Engineer's Office

Commissioner Rittenhouse moved, per the request of the County Engineer, to authorize the purchase of one (1) EX Tiger Flail Mower from The Dexter Company for cost of \$12,440.00, which includes the trade-in of one (1) SD Tiger Flail Mower. This item will be purchased through Ohio State Term Contract #800921.

Further move to authorize the County Administrator to execute all contract related documents, including the purchase order.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0746 INVS file

Authorize Disposal of Obsolete Equipment

Commissioner Rittenhouse moved, per the request of the Clark County Sheriff, to dispose of the following vehicle by donation to the Rowan County Sheriff's Department, 600 West Main Street, Morehead, Kentucky 40351, as the vehicle is no longer needed for County use, pursuant to Ohio Revised Code Section 307.12(D).

Description VIN/Serial #

2014 Ford Utility Interceptor 1FM5K8AR4EGA14585

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0747

Acknowledge Annual Report from Clark County Prosecutor

Commissioner Rittenhouse moved to acknowledge the receipt of the Clark County Prosecutor's Annual Report, per Ohio Revised Code Section 309.16.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0748 FINF file

Authorize Intra-Fund Transfer(s)

Commissioner Rittenhouse moved, upon the recommendation of the County Administrator, to authorize the following Intra-Fund Transfer(s):

From			To				
Department	Expense Acct.	Amount	Department	Expense Acct.	Amount		
Fund: General	_		_	_			
Treasurer	Operating Exp.	\$ 22,513.00	Treasurer	Pers. & Fringes	\$ 22,513.00		
Reason: Transfer needed to cover costs through the end of the budget year.							

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0749 FINS file

Approve Supplemental Appropriation(s)

Commissioner Rittenhouse moved, upon the recommendation of the County Administrator, to authorize the following supplemental appropriation(s) from unappropriated funds:

Fund: Department: Account: Amount: Technology Fund Recorder Contract Services \$ 34,000.00

Reason: To pay Kofile Technologies for back-up of recorded documents.

IV-E Contract Fund Juvenile Court Contract Services -\$205,000.00

Reason: Budget amendment due to new contract.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0750 TRAV file

Commissioner Rittenhouse moved, per request of the following Department Director(s) or Elected Official(s), to approve the following travel allowances:

Dept.	Name	Purpose	Place	Date	Cost
Comm. Dev.	L. Allen	OBOA Conf.	Dublin, OH	11/7/22	\$175.00
Comm. Dev.	D. Lackovich-VanGorp	OCCD Fall Mtg.	Columbus, OH	10/26-27/22	\$125.00
Comm. Pleas	L. Watkins, D. Evans	BI Inc. Trg.	Anderson, IN	10/20-21/22	\$785.00
Comm. Pleas	T. Capper	Family Law	Webinar	10/10/22	\$350.00

Further move reimbursements shall comply with all requirements of the Travel Policy as adopted in the Personnel Manual.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0751 ZBTH file

Set Date and Time for Public Hearing for Rezoning Case Z-2022-10 filed by Rodz Bros. Construction

Commissioner Rittenhouse moved, per the certification and recommendation of the Clark County Rural Zoning Commission, to set 10:00 a.m., Wednesday, October 19, 2022 in the Commissioners Chambers, Room 151 at the Springview Government Center, 3130 East Main Street, Springfield, Ohio as the date and time for a public hearing to rezone property located in Bethel Township being 5.1 acres located at 2783 S. Dayton Lakeview Road, to rezone property from B-3 (General Business District) to B-4 (Heavy Business District), for a self-storage development for boats and RV storage, plus office/shop for Rodz Bros. Construction.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Add On Resolution 2022-0752 VETC file

Authorize Contract with Spectrum Reach, LLC

Commissioner Rittenhouse moved, per the request of the Veterans Service Commission, to authorize a contract with:

Organization Name: Spectrum Reach, LLC/Charter Communications Inc.

Organization Address: 7777 Washington Village Drive, Suite 220, Centerville, Ohio 45458

In the amount of: Not to exceed \$48,000.00

Purpose: Advertising for Veterans Service Commission

Effective Dates: October 5, 2022

Further move to authorize the County Administrator to execute the contract and related documents, including the purchase order.

Commissioner McGlothin seconded the motion and the roll being called for its passage, the vote resulted as follows:

Commissioner Rittenhouse, Yes; Commissioner McGlothin, Yes; Commissioner Wilt, Yes

Resolution 2022-0753

Commission Wilt adjourned the meeting.

	BOARD OF CLARK COUNTY COMMISSIONERS	
	By: Melanie F. Wilt, President	
I certify that the record is true and accurate:	By: Lowell R. McGlothin	
Acting Commission Clerk	By: Sasha L. Rittenhouse	